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3 **UNITED STATES DISTRICT COURT**

4 **DISTRICT OF NEVADA**

5 Michael Reno, et al.,

6 Plaintiffs,

7 v.

8 Western Cab Company, et al.,

9 Defendants.

Case No.: 2:18-cv-840-APG-NJK

**NOTICE OF PENDENCY OF
COLLECTIVE ACTION LAWSUIT
UNDER THE FAIR LABOR
STANDARDS ACT**

10 **TO:** All taxicab drivers employed by defendants from May 9, 2015 through
March 8, 2019.

11 **RE:** Fair Labor Standards Act lawsuit filed by Michael Reno, Eric Kiefaber,
Dennis Rhoades, Jason Harris, Premier Tamayo, Wilfredo Allanigue, and
Aries Bihasa (“plaintiffs” or “named plaintiffs”) against Western Cab
Company, Helen Tobman Martin, Marilyn Tobman Moran, Janie Tobman
Moore, Martha Sarver, and Jason Awad (“defendants”).

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14 **INTRODUCTION**

15 The purpose of this notice is to inform you of the existence of a lawsuit in which you may
be “similarly situated” to the named plaintiffs; advise you of how your rights may be affected by
16 this lawsuit; and instruct you on the procedure for participating in this lawsuit, if you choose to
do so.

17 This Notice is not an expression by the court of any opinion as to the merits of any claims
18 or defenses asserted by any party to this action as those issues have not been decided.

19 **DESCRIPTION OF THE LAWSUIT**

20 This lawsuit was filed on May 9, 2018. The plaintiffs allege, and defendants deny, that
defendants violated the Fair Labor Standards Act. Specifically, the plaintiffs claim that they are
21 owed minimum wages under federal law. The plaintiffs claim that they were not at all times
compensated with the federally required minimum wage based upon the defendants’ practice of
22 requiring their taxicab drivers to pay for the cost of gasoline to operate their taxicabs. The
plaintiffs are seeking unpaid minimum wages and liquidated damages in an amount equal to the
23 unpaid minimum wages owed to them under the Fair Labor Standards Act. Defendants dispute
plaintiffs’ claims and deny that they are liable to the plaintiffs for any minimum wage pay.

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1 settlement rendered in this lawsuit, whether favorable or unfavorable to the plaintiffs and will
2 receive no money (if any money is collected for the plaintiffs) from this lawsuit. If you choose
not to join this lawsuit, you are free to file your own lawsuit under the Fair Labor Standards Act.

3 **STATUTE OF LIMITATIONS ON POTENTIAL CLAIMS**

4 The minimum period of time that you may collect unpaid wages under the Fair Labor
Standards Act is two (2) years from when you worked the time for which you were not paid
5 proper minimum wage. If the Defendants' failure to pay minimum wages was willful, then the
maximum period of time that you may collect unpaid overtime wages under the Fair Labor
6 Standards Act is three (3) years from when you worked the time for which you were not paid
such wages. The statute of limitations continues to run until you file with the court a written
7 consent to join this lawsuit or you file your own lawsuit to collect unpaid overtime or minimum
wages.

8 **NO RETALIATION PERMITTED**

9 Federal law prohibits defendants from discharging you or retaliating against you because
you have exercised your rights under the Fair Labor Standards Act to collect unpaid overtime
10 wages.

11 **YOUR IMMIGRATION STATUS DOES NOT MATTER IN THIS CASE**

12 You are entitled to be paid overtime wages and minimum wages under the Fair Labor
Standards Act even if you are not otherwise legally entitled to work in the United States.

13 **IF YOU PREVIOUSLY SIGNED AN ARBITRATION AGREEMENT**

14 If you signed an arbitration agreement with Western Cab, you may choose to join this
15 lawsuit. However, the arbitration agreement may bar your participation in the later stages of this
collective action.

16 **YOUR LEGAL REPRESENTATIVE IF YOU JOIN**

17 If you choose to join this lawsuit, you may be represented by your own attorney,
18 represent yourself, or be represented by the attorney for the plaintiffs. If you join this case and
you do not advise the Court in writing that you are being represented by other counsel or
19 representing yourself, your counsel in this action will be:

20 Leon Greenberg, Esq.
Dana Sniegocki, Esq.
21 2965 S. Jones Blvd., #E-3
Las Vegas, NV 89146

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1 **FURTHER INFORMATION**

2 The deadline for filing a "Consent to Join" form is 90 days from the issuance of this
3 notice which is **June 6, 2019**. Answers to questions about this lawsuit may be obtained by
4 contacting:

4 Leon Greenberg, Esq.
2965 S. Jones Blvd., #E-3
5 Las Vegas, NV 89101
(702) 383-6085
6 Email: leongreenberg@overtimelaw.com
E-mail Communications are Preferred
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8 The court has taken no position in this case regarding the merits of the plaintiffs' claims
9 or of the defendants' defenses.

10 THE DATE OF ISSUANCE OF THIS NOTICE IS MARCH 8, 2019.

11 **DO NOT CONTACT THE CLERK OF THE COURT**

12 Dated: March 8, 2019.

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ANDREW P. GORDON
16 UNITED STATES DISTRICT JUDGE
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